

Under the authority of the Asbestos Hazard Emergency Response Act (AHERA) of 1986, the USEPA published the Asbestos-Containing Materials in Schools rule (AHERA rule) Title 40 Code of Federal Regulations Part 763, Subpart E. The AHERA rule applies to all non-profit elementary and secondary schools nationwide, both public and private. Local Education Agencies (LEAs) are responsible for ensuring compliance with the AHERA rule and are required, among other things, to develop and maintain an up-to-date AHERA asbestos management Plan (AAMP). Schools built after October 12, 1988, may submit a partial AHERA rule exclusion letter (exclusion letter), written by the architect in charge of the design of the school, the lead engineer in charge of the construction of the school, or a Utah certified asbestos inspector working for a Utah certified asbestos company which becomes the AAMP.

LEAs are also responsible for having a Designated Person to oversee asbestos-related activities in the school and ensure that the AHERA regulatory responsibilities of the LEA are met. Schools who submit an exclusion letter are also responsible for annual notifications to parent, teacher, and employee organizations of the availability of the AAMP or the exclusion letter.